

Article - Estates and Trusts

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§13.5–201.

A court of this State has jurisdiction to appoint a guardian or issue a protective order for a respondent if:

(1) This State is the home state of the respondent;

(2) On the date the petition is filed, this State is a significant–connection state and:

(i) The respondent does not have a home state or a court of the home state of the respondent has declined to exercise jurisdiction because this State is a more appropriate forum; or

(ii) The respondent has a home state, a petition for the appointment of a guardian or protective order is not pending in a court of that state or another significant–connection state, and, before the court makes the appointment or issues the order:

1. A petition for an appointment or order is not filed in the home state of the respondent;

2. An objection to the jurisdiction of the court is not filed by a person required to be notified of the proceeding; and

3. The court concludes that the court is an appropriate forum under the factors set forth in § 13.5–204 of this subtitle;

(3) (i) This State does not have jurisdiction under item (1) or (2) of this subsection; and

(ii) The home state of the respondent and all significant–connection states have declined to exercise jurisdiction because:

1. This State is the more appropriate forum; and

2. Jurisdiction in this State is consistent with the constitutions of this State and the United States; or

(4) The requirements for special jurisdiction under § 13.5–202 of this subtitle are met.

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